(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

MISCELLANEOUS CIVIL APPLICATION NO. 68 OF 2005

AND

MISCELLANEOUS CIVIL APPLICATION NO. 70 OF 2005

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.
	Mr. S. G. Dessai, Senior Advocate with Mr. Shivan Dessai, Advocate for the Applicant/Original Defendant No.1. Mr. Sudin M.S. Usgaonkar, Advocate for the Respondent/Original Plaintiff. CORAM : N. A. BRITTO, J. DATE : 3RD FEBRUARY,2005. P.C.:- Heard Mr. S. G. Dessai, the learned Senior Counsel on behalf of the Applicant/Original Defendant No.1 and Mr. Sudin M. S. Usgaonkar, the learned Counsel on behalf of the Respondent/Original Plaintiff.

By Judgment delivered on 23-12-2004 in Second Appeal No. 8 of 1997 with Second Appeal No.9 of 1997, the suits filed by the said Plaintiffs, namely R.C.S. Nos.73 of 1980 and 74 of 1980 were decreed in terms of prayer (a) of the plaint and, at the request of the said Original Defendant No.1 the operation of the Judgment of this Court dated 23-12-2004 was ordered to be stayed for a period of eight weeks.

Mr. Dessai, the learned Senior Counsel submits that although, the Judgment was pronounced on 23-12-2004 and an urgent certified copy was applied for by Defendant No.1, the same was delivered only on 20-1-2005 and, therefore, Mr. Dessai, submits that the operation of the said Judgment

be further stayed for a further period of six weeks.

Although, Mr. Usgaonkar, has contested what has been submitted on behalf of the said Defendant No.1, in my view, no prejudice can be caused to any of the parties in case the operation of the said Judgment of this Court dated 23-12-2004 is further stayed for further three weeks from 23-2-2005.

N. A. BRITTO, J.

RD.